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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,704	01/28/2005	Tae-Joon Kim	AB-1406 US	1873

32605 7590 04/18/2007
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EXAMINER

BRIGGS, NATHANAEL R

ART UNIT	PAPER NUMBER
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2871

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/522,704

Applicant(s)

KIM, TAE-JOON

Examiner

Nathanael R. Briggs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Regarding Applicant's amendments filed 24 January 2007, independent claim 4 was inadvertently truncated, missing the phrases, "a case including a front case and a rear case, the rear case including second sidewalls and a second bottom face, the rear case receiving the receiving container, the rear case being combined with the front case; and a coupling member for coupling the receiving container and the rear case, the coupling member being formed at the first bottom face of the receiving container and the second bottom face of the rear case.", as confirmed by Applicant during a telephone conversation on 03 April 2007. Examination will continue as if the phrase were entered with the amendments filed 24 January 2007. However, Applicant must submit corrected amended claims in the forthcoming response to this Office Action.

Response to Arguments

2. Applicant's arguments filed 24 January 2007 have been fully considered but they are not persuasive. Applicant contends that *Kim* (US 6,501,641) fails to disclose the combination groove of claims 1 and 3, but instead teaches a "rib" (23, figures 6 and 7). Although element (23) is referred to as a "rib" in *Kim*, element (23) surrounds a hole (21b), which is depressed in the surface of the receiving member (21), which satisfies Applicant's definition of a groove (see Applicant's arguments, page 5, "depressed from a bottom surface"). Therefore, *Kuo* teaches a combination groove included in the bottom face of the receiving member. Applicant's arguments are therefore not persuasive.

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3. Regarding claim 2, Applicant argues that a cable connector (*Kuo*, US 6,109,948; Figure 7) is a non-analogous art to a combination groove and a spherical combination groove because the cable connector requires an externally exposed spring element (50), and the spring element makes contact with only a small portion of the periphery of the ball member (461). In response to applicant's argument that a cable connector is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the cable connector of *Kuo* is pertinent to the particular problem with which the applicant was concerned, namely of connecting a spherical combination groove to a matching spherical protrusion, which is addressed in *Kuo*. Applicant's arguments are therefore not persuasive.

4. Applicant's arguments with respect to claims 4-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1, 3-5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (US 6,501,641).

7. Regarding claim 1, Kim discloses an LCD (see figures 4C and 6-7, for instance) having a back light assembly (14); a receiving container (21) having sidewalls and a bottom face, the bottom face including a combination groove (23) that fixes the LCD (10) to an external member, a width of a portion (21b) of the combination groove (23) being larger than a width of an entrance of the combination groove (23); and an LCD panel (10), the LCD (10) panel being received by the receiving container (21). Claim 1 is therefore unpatentable.

8. Regarding claim 3, Kim discloses the LCD of claim 1 (see figures 4C and 6-7, for instance), wherein the combination groove (23) is formed at corner of the bottom face of the receiving container (21). Claim 3 is therefore unpatentable.

9. Regarding claim 4, Kim discloses a display apparatus (see figures 4C and 15-16, for instance) having a back light assembly (14); a receiving container (30) having first sidewalls and a first bottom face (24b), the bottom face (24b) including a combination groove (30b) that fixes the receiving container (30) to an external member (10), a width of a portion of the combination groove (30b) being larger than a width of an entrance of the combination groove (30b); an LCD panel (10) for transforming the second light into an image light, the LCD panel (10) being received by the receiving container (30); a case including a front case (16) and a rear case (14g), the rear case (14g) including second sidewalls and a second bottom face, the rear case (14g) receiving the receiving container (30), the rear case (14g) being combined with the front case (16); and a

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coupling member (19, 30b) for coupling the receiving container (30) and the rear case (16), the coupling member (19, 30b) being formed at the first bottom face (24b) of the receiving container (30) and the second bottom face of the rear case (16). Claim 4 is therefore unpatentable.

10. Regarding claim 5, Kim discloses the display apparatus of claim 4 (see figures 4C, and 15-16, for instance), wherein the coupling member (19, 30b) includes a combination groove (30b) formed at the first bottom face, and a protrusion (19) formed on the second bottom face, a width of a portion of the combination groove (30b) being larger than a width of an entrance of the combination groove (30b), a contour of the protrusion (19) corresponding to the combination groove (30b). Claim 5 is therefore unpatentable.

11. Regarding claim 7, Kim discloses the display apparatus of claim 4 (see figures 4C and 6-7, for instance), wherein the coupling member (19, 30b) includes a combination groove (30b) formed at the second bottom face, and a protrusion (19) formed on the first bottom face, a width of a portion of the combination groove (30b) being larger than a width of an entrance of the combination groove (30b), a contour of the protrusion (19) corresponding to the combination groove (30b). Claim 7 is therefore unpatentable.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US 6,501,641) in view of Kuo (US 6,109,948).

14. Regarding claims 2 and 6, Kim discloses the LCD device of claims 1 and 4 (see figures 4C and 6-7, for instance). However, Kim does not expressly disclose wherein the combination groove has a spherical shape, or wherein the combination groove has a first spherical shape and the protrusion has a second spherical shape, the first spherical shape being substantially same to the second spherical shape.

15. Regarding claims 2 and 6, Kuo discloses a connecting means (see figures 2 and 7, for instance), wherein a combination groove (54) has a spherical shape, and wherein the combination groove (54) has a first spherical shape and the protrusion (46) has a second spherical shape, the first spherical shape being substantially same to the second spherical shape.

16. It would have been obvious for one of ordinary skill in the art at the time of the invention to use the connection means of Kuo in the manufacturing process of Kim. The motivation for doing so would have been to simplify the connection process and establish a reliable connection means between the head and engaging portion, as taught by Kuo (column 1, lines 52-54; column 2, lines 4-7). Claims 2 and 6 are therefore unpatentable.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathanael R. Briggs whose telephone number is (571) 272-8992. The examiner can normally be reached on 9 AM - 5:30 PM Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nathanael Briggs
4/3/2007


ANDREW SCHULTS
PRIMARY EXAMINER